

REMARKS

Claims 1-6 are pending in the present application. In the Office Action the Examiner rejected the claims as follows. Claims 3 and 4 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2004/0014459 (Shanahan). Claims 1 and 2 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,449,498 (Kirbas) in view of Shanahan. Claims 5 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shanahan in view of Kirbas.

Claim 3 has been amended to correct a minor typographical error.

Kirbas discloses a method and system for displaying a banner (e.g., an idle mode screen display) comprising a simple image, in a communication device. If today is a predetermined date, the selected banner is displayed. This banner is not operated upon when receiving a phone call.

Shanahan teaches a selected file is played at an occasion date or event. However, in contrast, the present invention relates a method of changing the first predetermined ring sound to a second predetermined ring sound if today is a certain date when it is not a certain time and the phone rings.

The present invention provides a specific, predetermined image or ring tone for the called party to remind the called party of a specific occasion when a call is received. The cited references merely provide ways for the user to select images and audio on electronic devices. Although Kirbas displays a certain image on a certain date, Kirbas does not do so upon receiving

a call; Kirbas displays the selected banner for the course of the day and does not change upon initiation of communication. Moreover, although Shanahan teaches playing a signature file when the phone rings, Shanahan does not teach or suggest changing the files when the phone rings. In other words, Shanahan teaches playing a certain file at a certain time.

According to the present invention, an idle, or default screen is displayed until a call is accepted. When the call is accepted, and communication has been initiated, the inventive method determines whether the current date is a registered occasion date, and if it is, displays a corresponding image to remind the user of the registered occasion date. The user is reminded by the call using an image on the display.

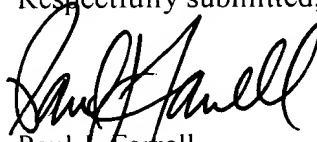
Regarding the Examiner's rejection of independent Claim 3 under §102(e), the Examiner states that Shanahan teaches each and every element of Claim 3. Shanahan teaches the user may program signatures in the device to be played at predetermined times. Shanahan then gives an example in which a user may program "Happy Birthday" or "Jingle Bells" into the device to play on a certain day or at a certain time (e.g., see Paragraph 45). In other words, Shanahan teaches playing signature files on certain days. Moreover, Shanahan teaches playing certain signature files when a phone rings. In other words, only a selected file is played at a selected time or event. However, Shanahan does not teach or suggest changing the first predetermined ring sound to a second predetermined ring sound, if today is the registered occasion date to remind the user of the registered occasion date, as recited in Claim 3. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §102(e) of Claim 3 be withdrawn.

Regarding the Examiner's rejection of independent Claims 1 and 5 under §103(a), the Examiner states that the combination of Kirbas and Shanahan teaches each and every element of Claims 1 and 5. Kirbas teaches displaying selected banners on selected days. In other words, only a single banner is displayed on a selected day. As discussed above, Shanahan teaches the user may program signatures in the device to be played at predetermined time. Shanahan then gives an example in which a user may program "Happy Birthday" or "Jingle Bells" into the device to play on a certain day or at a certain time (e.g., see Paragraph 45). In other words, Shanahan teaches playing signature files on certain days. Moreover, Shanahan teaches playing certain signature files when a phone rings. In other words, only a selected file is played at a selected time or event. In contrast, Claim 1 includes the recitation of changing the first predetermined image to a second predetermined image if today is the registered occasion date to remind the user of the registered occasion date; and Claim 5 includes the recitation of displaying a second predetermined image and playing a second predetermined ring sound as the incoming call ring sound, if the today is the registered occasion date to remind the user of the registered occasion date. These recitations are neither taught nor suggested by Kirbas or Shanahan or the combination thereof. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of Claims 1 and 5 should be withdrawn.

Independent Claims 1, 3, and 5 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 4, and 6, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2, 4, and 6 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-6, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant(s)

DILWORTH & BARRESE

333 Earle Ovington Blvd.

Uniondale, New York 11553

Tel: (516) 228-8484

Fax: (516) 228-8516